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AND RELATED MATTERS



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January 2, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/671,337 filed 09-25-03
Applicant: Sondrup
Title: **ADJUSTABLE UTILITY ACCESS**
Group Art Unit:
Attorney Docket No: T9029.CON.CIP

Sir/Madam:

Transmitted herewith for filing and pursuant to 37 C.F.R. §§ 1.56 and 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- ☒ Form PTO-1449 list of 31 references submitted for consideration.
- ☒ Legible copies of the listed references or their relevant portions.
- ☐ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:


- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- ☐ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- ☒ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified priority application number 10/262,578 filed October 1, 2002; and patent number 6,457,901, filed September 1, 2000 which is a continuation-in-part of US Application number 10/262,560 filed September 30, 2002; which is a continuation-in-part of US Patent Nos. 6,457,901, filed September 1, 2000; 6,520,713, filed March 22, 2001; and 6,524,026, filed March 22, 2001 which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- ☐ Statement under 37 C.F.R. § 1.97(e)(1) or (2).
- ☐ Check No. _____ in the amount of \$0.00 (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

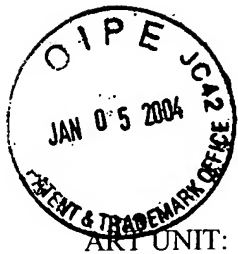
In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.

Respectfully submitted,



Garron M. Hobson
Attorney for Applicant
Registration No. 41,073

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IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT:

EXAMINER:

APPLICANT: Sondrup

SERIAL NO.: 10/671,337

FILED: 9/25/2003


CONFRM. NO.:

FOR: ADJUSTABLE UTILITY ACCESS

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.8**

DATE OF DEPOSIT: Dec 2, 2004

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Garron M. Hobson

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

☒ 37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;

☐ 37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97(e), or 2) the fee set forth in § 1.17(p); or

☐ 37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in § 1.17(p).

While no representation is made that any of these references may be "prior art" within the meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted with priority application number 10/262,578 filed October 1, 2002; and patent number 6,457,901, filed September 1, 2000 which is a continuation-in-part of US Application number 10/262,560 filed September 30, 2002; which is a continuation-in-part of US Patent Nos. 6,457,901, filed September 1, 2000; 6,520,713, filed March 22, 2001; and 6,524,026, filed March 22, 2001, or cited by, the Patent Office is also enclosed.

For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

Information Disclosure Statement

Application No. 10/671,337

Page 3

Dated this 2 day of ~~December~~ January, 2003.

Respectfully submitted,




Garron M. Hobson
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GMH/skp

Enclosure

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PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. T9029.CON.CIP	SERIAL NO. 10/671,337
		APPLICANT Sondrup	
		FILING DATE 09-25-03	GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,273,467	07/16/81	Cronk		
	AB	4,337,005	06/29/82	LeBaron		
	AC	4,883,590	11/28/89	Papp		
	AD	5,044,674	09/03/91	Hendrikson		
	AE	5,366,317	11/22/94	Solimer		
	AF	5,451,119	09/19/95	Hondulas		
	AG	5,470,172	11/28/95	Wiedrich		
	AH	5,496,128	03/05/96	Odill		
	AI	5,564,855	10/15/96	Anderson		
	AJ	5,956,905	09/28/99	Wiedrich		
	AK	6,109,824	08-2000	Annes, Jean-Claude		
	AL	1,639,495	08-1927	Frame		
	AM	1,447,256	03-1923	Lincoln		
	AN	5,813,797	09-1998	Pendleton et al.		

FOREIGN PATENT DOCUMENTS


	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AO					
	AP					
	AQ					

OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

	AR	"Valve Boxes and Cover"; East Jordan Iron Works, Inc. Catalog VB2002 PO BOX 439, East Jordan, Michigan 49727
	AS	
	AT	

EXAMINER	DATE CONSIDERED
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. T9029.CON.CIP	SERIAL NO. 10/671,337
		APPLICANT Sondrup	
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U.S. PATENT DOCUMENTS

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA	5,513,926	05/1996	Prescott		
	BB	5,360,131	11/1994	Phillipps et al.		
	BC	5, 211,504	05/1993	Trudel		
	BD	5,051,022	09/1991	Bowman		
	BE	4,969,770	11/1990	Bowman		
	BF	4,906,128	03/1990	Trudel		
	BG	4,197,031	04/1980	Hild		
	BH	4,174,183	11/1979	Ferns		
	BI	3,611,889	10/1971	Levinson		
	BJ	1,257,324	02/1918	Daniels		
	BK	1,165,044	12/1915	Tyler		
	BL	814,013	03/1906	Baumann		
	BM	689,224	12-1901	Pillsbury		
	BN	638,692	12-1899	Banwell		
	BO	599,441	02/1898	Dorr		
	BP	275,785	04/1883	Omensetter		

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
BQ					

OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

BR		
BS		
BT		

EXAMINER	DATE CONSIDERED
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